

**Mobile Services Zoning Code Amendment (LAND-2016-01105)**

Planning Commission Issues Matrix for July 13, 2016

Issue	Discussion Notes	Status
1. Should mobile services that would be exempt from obtaining a temporary use permit be allowed on vacant lots? (Nichols)	<p><u>Planning Commission Discussion</u> 6/29: Commissioners desired to discuss the rationale for prohibiting mobile services that would be exempt from obtaining a temporary use permit from locating on vacant lots and to consider potential alternatives.</p> <p><u>Staff Response/Recommendation</u> 7/13: The Technical Committee recommends against allowing mobile services that would be exempt from obtaining a temporary use permit to locate on vacant lots. Allowing them to do so may result in de facto mobile service malls that are not temporary (uses could rotate through the site) and not in keeping with Redmond community character and design goals.</p> <p><u>Public Comment</u></p>	Opened 6/29
2. Should not-for-profit and for-profit mobile services be regulated the same or differently? (Miller)	<p><u>Planning Commission Discussion</u> 6/29: Commissioners desired to discuss whether for-profit and not-for-profit mobile services should be regulated the same or differently, and if differently, how.</p> <p><u>Staff Response/Recommendation</u> 7/13: Mobile services are currently regulated without regard for tax status. The Technical Committee recommends maintaining that because the impacts of mobile services are largely the same whether the use is operated by a for-profit or not-for-profit entity.</p> <p><u>Public Comment</u></p>	Opened 6/29
3. Does the recommended amendment adequately account for unintended consequences? (Haverkamp)	<p><u>Planning Commission Discussion</u> 6/29: Commissioners identified potential unintended consequences as an issue to further discuss.</p> <p><u>Staff Response/Recommendation</u> 7/13: The Technical Committee recommendation is built in part on the City's experience with motorized catering (food trucks). Since 2011, motorized catering businesses have been able to legally operate throughout Redmond without a land use or temporary use permit (but with a business license) provided they move every three hours. This approach has been successful in allowing food trucks to operate legally without significant administrative burden or complaints.</p>	Opened 6/29

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	<p>The recommended definition of mobile services is, “Service uses as defined in General Sales or Services that operate out of a motor vehicle and/or attached trailer. This definition excludes motorized catering.” The definition of general sales or services specifically excludes lodging, mail order/direct sales, membership wholesale/retail warehouses, convention/trade show services, and marijuana retail sales. Further, RZC 21.41 requires that all marijuana uses operate in a permanent structure.</p> <p>Even so, it is possible that there could be unintended consequences of the recommended amendment. Staff recommends monitoring how these regulations work – such as by monitoring complaints – and returning to the Planning Commission with refinements if necessary.</p> <p><u>Public Comment</u></p>	
4. Should a mobile service that is exempt from obtaining a temporary use permit only be allowed in the zone(s) where the same brick-and-mortar service would be allowed? (MacNichols)	<p><u>Planning Commission Discussion</u> <u>6/29</u>: Commissioners identified potential zone-based restrictions for mobile services as an issue to further discuss.</p> <p><u>Staff Response/Recommendation</u> <u>7/13</u>: The Technical Committee recommends allowing mobile services that would be exempt from obtaining a temporary use permit to be temporarily located in any zone provided they meet the recommended conditions. By their nature, temporary uses are those that are usually <u>not</u> otherwise allowed in the underlying zone. The Zoning Code provides that temporary uses must be, “safe and compatible with the general vicinity and adjacent uses” (RZC 21.46.010). Staff sees brick-and-mortar and mobile businesses as occupying different market spaces. Staff did not see a compelling reason to recommend limiting mobile services to those zones where like brick-and-mortar businesses are allowed.</p> <p>In practice, mobile services are only likely to succeed where there is a critical mass of customers: mixed-use/commercial areas and potentially multifamily zones. In addition, a mobile service could only locate with the permission of the property owner, and then only for a limited duration.</p> <p><u>Public Comment</u></p>	Opened 6/29